

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARTIN J. BIBBS,

Plaintiff,

v.

JOHN WALKENHORST, RENEE
WALKENHORST and WALKENHORST'S
VENDOR,

Defendants.

Case No.: C 12-2197 KAW (PR)

ORDER DENYING PLAINTIFF'S MOTION
FOR ENTRY OF DEFAULT JUDGMENT

Doc. no. 31

Plaintiff, a state prisoner incarcerated at Pelican Bay State Prison (PBSP), has filed a pro se civil rights action pursuant to 42 U.S.C. § 1983, alleging the violation of his constitutional rights by Defendants who are alleged to be in contract with PBSP.

On September 24, 2013, Defendants filed a notice of substitution of counsel and, on September 30, 2013, new counsel requested an extension of time to file Defendants' motion for summary judgment. Doc. nos. 23, 25. On October 7, 2013, the Court granted Defendants' request for an extension of time. Doc. no. 26. Defendants' motion for summary judgment now must be filed by December 4, 2013.


On October 11, 2013, Plaintiff filed an opposition to the motion for an extension of time and a motion for a default judgment based upon Defendants' failure to file a motion for summary judgment on the old date the motion was due. Doc. no. 31.

1 Plaintiff's opposition to the motion for an extension of time is without merit. Plaintiff's
2 motion for entry of default judgment is also without merit and is denied.

3 This Order terminates docket number 31.

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5 IT IS SO ORDERED.

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7 Dated: October 25, 2013

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9 KANDIS A. WESTMORE
10 United States Magistrate Judge
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For the Northern District of California